

REMARKS/ARGUMENTS

The Office Action mailed January 27, 2006, has been received and reviewed. Claims 16 and 22 are currently pending in the application. Claims 16 and 22 stand rejected.

35 U.S.C. § 102(b) Anticipation Rejections

Anticipation Rejection Based on U.S. Patent No. 6,268,650 to Kinsman et al.

Claims 16 and 22 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Kinsman et al., U.S. Patent No. 6,268,650. Applicants respectfully traverse this rejection, as hereinafter set forth.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Brothers v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The identical invention must be shown in as complete detail as is contained in the claim. *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Regarding claim 16, Applicants have amended claim 16 such that the electrically conductive layer includes the element of “a longitudinal slot formed therethrough.” This subject matter was a portion of the subject matter from claim 23.

As the Examiner has stated in the present Office Action, claim 16 is generic to species VII, VIII, IX, X, and XI. Applicants assert that amending claim 16 with subject matter from claim 23, which is in species X, should keep claim 16 generic.

Furthermore, while the new subject matter in claim 16 is from claim 23, which was to a non-elected species, Applicants believe that the subject matter is similar enough to the subject matter of claim 22, that claims 22 and 23 should not be considered different species. This is particularly true because the Examiner has interpreted the longitudinal slot in the Kinsman reference as an electrical current isolation slot. Since the Examiner considers a longitudinal slot to be an electrical current isolation slot and prior to the amendments herein claim 16 recites “at least one electrical current isolation slot,” the new subject matter essentially just adds another electrical current isolation slot. Additional electric current isolation slots should not be

considered a different species because claim 16 recites “at least one electric current isolation slot” indicating that there may be more than one electrical current isolation slot.

With this amendment, Applicants assert that Kinsman does not anticipate amended claim 16. If the slot in Kinsman is considered a longitudinal slot, Kinsman includes a longitudinal slot but does not include at least one electric current isolation slot in addition to the longitudinal slot, as is recited in amended claim 16.

Or, viewed a different way, if the slot in Kinsman is considered an electric current isolation slot, then the longitudinal slot in amended claim 16 may also be considered an electric current isolation slot. Consequently, Kinsman includes only the single electric current isolation slot, whereas claim 16 includes at least two electric current isolation slots comprising the longitudinal slot and the “at least one electric current isolation slot.”

From either perspective Applicants assert that the Kinsman reference is missing at least one slot relative to amended claim 16 and, therefore, does not anticipate claim 16. As a result, Applicants respectfully request that the 35 U.S.C. § 102 anticipation rejection of claim 16 be withdrawn.

Furthermore, in the species election requirement the Examiner indicated that claims 16 and 22 belong to species IX, while claims 16 and 23-26 belong to species X. However, as stated above, Applicants believe the longitudinal slot in claim 23 may be considered an electric current isolation slot and therefore believe that claims 22 and 23 should not be considered different species. Claims 24-26 are included with claim 23 because they depend from claim 23. Therefore, Applicants respectfully request that the Examiner reconsider the species division such that claims 22 and claims 23-26 belong to the same species.

Regarding claim 22, this claim depends from now allowable amended claim 16. Therefore, at least by virtue of its dependency from an allowable claim, claim 22 is now allowable. As a result, Applicants respectfully request that the 35 U.S.C. § 102 anticipation rejection of claim 22 be withdrawn.

CONCLUSION

Claims 16 and 22 are believed to be in condition for allowance, and an early notice thereof is respectfully solicited. Furthermore, if the Examiner reconsiders the division of species, as outline above, claims 16, and 22-26 are believed to be in condition for allowance. Should the Examiner determine that additional issues remain which might be resolved by a telephone conference, he is respectfully invited to contact Applicants' undersigned attorney.

Respectfully submitted,



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